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67 The sexual economy and Nevada's legal brothels

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Drive a few miles past scattered houses in the dry suburbs of a sprawling desert town an hour outside Las Vegas, turn left onto a two-lane road, drive past a few more houses and there are two businesses at the end of the road: the Resort at Sheri's Ranch and the Chicken Ranch. Inside each establishment, which look like any hotel or sports bar, women sell sexual services, and men and sometimes women pay for sex, legally.

The 20 legal brothels in Nevada's rural counties have always been an anomaly in the United States. Everywhere else, including in Nevada's largest cities – Las Vegas and Reno – selling sex is illegal. In fact, US laws are more severe than many places in the world. Despite this, prostitution is widespread. It is very difficult to estimate the size of the industry because it is both diverse and underground. Some estimate that in the United States there are one million *full-service sex workers*, meaning individuals who provide in-person sex services (ProCon.org 2018). *The Erotic Review*, an online review site where many advertise, holds nearly 200,000 provider profiles and this is only one small part of the industry (Erotic Review 2022).

To understand how and why prostitution persists today involves thinking about our economy as a whole. This chapter examines Nevada's legal brothels as a window into the sexual economy and sexual politics. As you read, ask yourself how the sex industry fits into today's economy. In what ways do people make a living? What exactly do we buy and sell? What social groups have access to goods and services and who has not? In other words, what inequalities and social hierarchies does the mainstreaming of the sex industry reflect? And how does all this fit into our understanding of the sex industry?

The sexual economy

Yes, there is a *sexual economy*, a system where sexual pleasure in various forms is produced and consumed as merchandise or a service. The entertainment, travel, and fashion industries, indeed the production and sale of an entire array of consumer products and services would not be as central to our economy without the selling and buying of sex and sexuality. As advertisers know, sex sells. For the last 100 years, consumption of goods and services has driven the global economy. Adventurers travel for excitement, spectacle, and experience. Those who can afford it seek escape from high pressure jobs or hectic lives. We consume for health, wellness, peace of mind, anything to transport us out of the mundane world of daily life. Today's *leisure economy* – those businesses focused on recreation, relaxation, entertainment, sports, travel, and tourism – is huge. And sexuality is a key part of this.

Our thirst for consumer products and services not only fuels our economy, it affects our cultural values and the ways we think. From birth onward we are socialized to be consumers. Through advertising and social pressures, we are taught to constantly replace out-of-style products, places, or people, and we feel self-conscious if we cannot. We seek change so often that we become adept at managing multiple selves in our private and work lives (Giddens 1991). We are raised to value consumer choice, which means our politics are often based on our right to do, be, and buy whatever we want, without interference, if it hurts no one else.

Consumption also drives how we make a living. Tourism is the world's largest employer (IBISWorld 2021). Half a century ago, factory jobs with stable salaries and long-term employment dominated. Today's service industry jobs pay less and are more precarious. Uneven and ever-changing consumer demand means people pick up part-time, subcontracted jobs. In the last few years the *gig economy*, temporary contract work, self-employed jobs, part-time, on-call or short-term jobs, has grown through apps or websites like *Uber*, *Airbnb*, *Amazon*, *Ebay*, or *TaskRabbit*. These jobs do not have traditional benefits like employer-provided health care or retirement, but they provide flexibility. All of this has dramatically increased economic inequality.

Making a living in this consumer economy increasingly means selling services once considered private, intimate, or done just for love. Cooking, listening, or touching are now commodified in restaurants, professional therapy, massage services, and the sex industry. These kinds of jobs require *emotional labor*, which is the work of managing one's emotions to express the right feeling for a job (Hochschild 1983). *Body work*, that is, paid labor that involves direct handling and manipulating of bodies (Wolkowitz et al. 2013) is key to the sex industry, but also important work for physical therapists, personal trainers, tattoo artists, beauty workers, and nurses. Occupations involving body work employ around 8% of the US labor force (Wolkowitz and Warhurst 2017). It is performed mostly by women and racialized minorities and in the United Kingdom accounts for 21% of all women's self-employment (Cohen and Wolkowitz 2018: 45). Thus, in this consumer context, it is not unusual to sell and buy sexual touch, looking, and intimacy, which are all services offered by the sex industry.

Sexual values and politics

The consumption economy affects our cultural values, morals, and politics. It influences why some support rights for sex workers and why some adamantly oppose the sex industry. Changing values around free choice and changing lifestyles have impacted sexual values and morals. One survey of 65 nations, found that nations with larger consumer economies are more accepting of gender equality, lesbian and gay rights, and the sex industry (Inglehart 2008). In other words, cultures that value free choice tend to question restrictions on freedom based on traditional categories of gender and sexuality.

In this climate, commercial sex businesses including webcamming, pornography, professional domination, erotic dance, phone sex, and other forms of sexual entrepreneurship have become mainstream (Brents and Hausbeck 2010; Brents et al. 2010). These businesses have expanded their reach into the economy, becoming more diverse and looking and acting more like nonsexual businesses. Some sex businesses adopt mainstream business practices like corporate structures, chains, franchises, owning nonsexual businesses (such as a legal brothel with a public restaurant) or subcontract with nonsexual businesses for their advertising, marketing, public relations, or bookkeeping. Some sexual

retail businesses consciously mimic nonsexual storefronts or minimize sexuality on their packaging to look less transgressive. Often these efforts are coded with class, upscaling a store to intentionally move away from working-class sexual codes. As a result, many of these sex industries are quite profitable. For example, UK lap dancing was one of the few businesses in a recent economic downturn that was profitable (Sanders and Hardy 2014).

However, values of consumer free choice also have contradictory elements. Philosophies supporting the right to freely buy and sell often do not extend to everyone. They only include "responsible citizen-consumers," more often defined as those whose income allows for free choices and whose skin color or national origin are seen as reflecting moral and social superiority. Values of free choice and individual rights exist in an economy where the gap between rich and poor has widened considerably since the 1920s. Those in marginalized racial or sexual groups are much less likely to benefit from economic mainstreaming.

The values supporting and opposing sexual commerce have emerged in the space created by market culture. For example, concern about the lack of freedom some individual sex workers experience has prompted a large-scale anti-sex trafficking movement. The consequences of inequality – such as lack of access to good paying jobs, housing, and health care – limits the abilities of the most marginalized to control their work environments (Weitzer 2015). Kids from poor or violent families or those kicked out for being gay or transgender, can do little else to survive than engaging in sex work. However, policy makers have largely responded by increasing penalties against perceived traffickers or clients. The bigger problem rests in our economy and a lack of social services, rather than in individual bad people. Further, the already marginalized, including sex workers who are poor, transgender, and/or of color, are disproportionately arrested (Brooks 2021). To address these problems, sex worker rights organizations and other advocates are promoting policies to *decriminalize prostitution*, that is, to remove all criminal penalties against selling and buying sexual services.

This is the sexual political economy today. How has this situation changed in the last 100 years, and what does the future hold? To answer these questions, let us look at Nevada's legal brothels, the one place in the United States where sex work is not criminalized. How did these legal brothels emerge in a country that criminalizes the sale of sex everywhere else? How do these brothels work? What does their history tell us about how the economy, culture, and politics affects why, how, and where people sell and pay for sex?

History of Nevada's legal brothels

Prostitution was a key part of Nevada's mining economy, just as it was in most of the Western United States. Prostitution has been central to mining economies in frontier communities of the Canadian West, Australia, South America, and Africa (Laite 2009). Its role in the service economy and the centrality of leisure and tourism to Nevada's later economy has allowed it to persist.

Saloons and prostitution anchored service/leisure businesses in mining boomtowns in Nevada and much of the Western United States. The gold rush in the late 1860s brought workers to mining camps that quickly grew a large leisure economy selling escapism, intimacy, and companionship to single men working in unforgiving environments. In 1905, Goldfield, a town in southern Nevada had 27 restaurants and nearly 60 saloons, one for every 135 residents (by comparison, New York City had one bar for every 515 residents).

In 1909, Las Vegas' designated vice block had six hotels and 11 saloons, with a population of only 945 (Brents et al. 2010: 45–48; Zanjani 1992: 95).

Women, who were mostly excluded from staking mining claims or working in the mines, took advantage of boomtown opportunities in a variety of ways. The Goldfield constable recalled 500 women working in legal red-light zones. Virginia City's 1870 census records show that of the 286 women who listed occupations, 157 listed themselves as prostitutes (James and Fliess 1998: 29–31). But these numbers underplay the variety of sex work. Women owned saloons, hotels, and brothels. They brewed beer, sewed clothing, ran dance halls, and sold sexual services ranging from sex to mistress to housekeeper (Laite 2009). Some worked independently, some worked for others, and some for both. They simultaneously worked multiple businesses – both as business owners and selling sex. Many sex workers could make four to five times more than in “legitimate” occupations such as a store clerk. However, within the wide variety of venues, there was stratification, a hierarchy of unequal pay, power, and resources. Conditions were often worse for immigrants, Indigenous, Hispanic, Black women, and other women of color (Brents et al. 2010: 47–49; Laite 2009). Most research on prostitution in mining camps focuses on women selling sex to men, but we know that more sexually diverse and gender fluid sexual relations were likely also a part of these communities.

Meanwhile in the turn-of-the-century industrial economy of the northeastern United States, various forms of protective social legislation wrote norms of behavior considered ‘proper,’ orderly, and productive into federal laws. Laws outlawing drinking, gambling, and prostitution reflected upper-class, white Anglo-Saxon Victorian ideals of women's domesticity, piety, virtue, and submissiveness. These laws as well as various social purity and public health campaigns were largely directed at the working class and a growing population of immigrants and Black migrants from the Southern United States. Social workers policed bars and dance halls for “loose” women, and vice commissions criminalized women found in saloons without a man. This fervor culminated in what is known as a *white slave trafficking panic*. First fueled by journalists in the United Kingdom in the late 1800s, in 1909 US newspapers sensationalized stories of unscrupulous immigrant men selling poor innocent white women into sexual servitude. In both the United Kingdom and United States, such stories were wildly exaggerated, often set up by the newspapermen themselves. But they played into enough cultural anxieties to fuel national and local laws designed to protect vulnerable women against evil men (Donovan 2006). These laws against third parties criminalized anyone helping sex workers or benefiting from their labor. Soon after, many localities criminalized the sex workers themselves. These efforts further solidified class and race-based hierarchies of power.

Although there was a clear gendered division of labor, the Western frontier resisted Victorian ideals of propriety, self-control, and the idea that women's place was in the home. Historian Julia Laite notes that in frontier towns, leisure activities such as drinking, gambling, and “prostitution acted as a way to disregard conventional morality, and as a way to refuse or even to defy the ordered and controlled world of modern capitalism” (2009: 747). Mining communities largely tolerated or supported sex work. A Goldfield newspaper reported that husbands did not mind if their wives sold sex – “in the code it wasn't cheating if she collected for it” (Zanjani 1992: 104–105).

This perception that the West was lawless meant that in the first half of the century the federal government constantly pressured Western states, especially Nevada, to “clean up their morals. They officially closed saloons in the 1920s through a nationwide prohibition on alcohol and tried to shut down gambling through the 1950s. During World War II

federal law forced brothels near military bases to close, and gambling and prostitution all but disappeared across most of the mining West (Brents et al. 2010). Except for Nevada. Why and how did Nevada keep its leisure industry of legalized vice? In many ways, it was because of the state's reliance on a sexualized leisure economy.

During the 1920s, tourism was growing, as was a cultural fascination with the Wild West. This fed Nevada's cultural resistance to “the ordered and controlled world of modern capitalism” (Laite 2009: 247) and fueled a service economy based on vice, escapism, and desire. Local businessmen recognized sexuality as a marketable component of the state's developing tourist economy. In the 1930s, Nevada legalized gambling and “quickie” divorces and marriages. In the 1940s, writers and novelists moved to Virginia City and spun romantic images of the Old West and its “courtesans” in magazines such as the *Saturday Evening Post* and *Life*, and in movies and TV shows such as *Gunsmoke* and *Gunman's Wif*. By then, Nevada was poised to capitalize on the changed moral landscape to establish a relatively stable economy based on tourism, gambling, and vice after World War II. Official support of open prostitution was a big part of this new tourist industry. Thus, Nevada seemed to escape beliefs that constructed women's sexuality as a moral problem. However, in the 1950s, in a huge reversal, state and local officials cracked down on open prostitution (Brents et al. 2010).

What changed? Economics. As the state's mining economy declined, tourism and gambling industries grew. Federal efforts to reign in gambling by focusing on racialized images of organized crime threatened the fledgling casino industry. Urban areas had much more to lose by resisting federal government attempts to regulate morals.

In essence, Las Vegas sacrificed open prostitution, which benefitted individual working-class women, for a gambling industry that benefitted powerful businessmen able to lobby local governments. The 1950s Las Vegas marketing machine began to produce “classy” images of women (who did not openly sell sex) on postcards. “Classy” meant upper-class and white and was a construction of gender and class constructed in opposition to working-class women's sexuality. To make gaming look legitimate, local legislators superficially conceded to a religious morality on sexuality. Reno and Las Vegas officially closed brothel districts and wrested control of commodified sexuality away from independent sex workers.

Officials in Las Vegas tried to outlaw prostitution statewide but met with strong resistance from rural governments whose local brothels were often the most profitable businesses. Rural and urban legislators battled and in 1971 passed a law which banned prostitution, but only in counties above a population threshold, which at that time only included Las Vegas. A series of legal cases eventually ruled that local areas could pass their own ordinances. Most did, codifying existing brothels through strict licensing (Brents et al. 2010).

Today it remains difficult to open and operate a legal brothel. These are “privilege licenses,” easily revoked, and overseen by local police, sheriffs, and other criminal justice institutions. It is difficult for independent sex workers to be licensed to own a brothel and self-employed sex workers cannot work outside a licensed brothel. Casinos in large resort cities clandestinely operate their own underground prostitution, and illegal street and escort prostitution thrives.

Brothels today

Today's legal brothel industry exists in the context of huge population growth in the American West since the 1980s, dramatic growth of leisure and tourism globally and

in the state, and the impact of digital commerce. About 20 brothels operate in the ten Nevada counties where prostitution is legal.

Rural brothels

Rural brothels are situated in small towns and along highways in the desert expanses of Nevada. They tap into the same market for leisure and escape as in the old mining and railroad towns from which they emerged. Customers are mostly men passing through the area – miners, seasonal farm workers, truckers, and tourists such as hunters, campers, bikers, or off-road tourists. They market to a traditional working-class masculinity, a “home away from home,” providing free coffee and showers. Some play up the Wild West theme. Most have bars. Women provide the services in these brothels. One rural brothel experimented and hired a man, but few gay men or straight women took on the nearly two-hour drive to be customers.

Rural brothels are small, employing only two to five women. They sell timed, categorized sex acts of 30 minutes to an hour. Monitors in each room allow management to listen to transactions, for both worker safety and to prevent theft. State law requires condoms for all acts, and for workers to take weekly and monthly tests for HIV and other STIs. Workers will conduct a “dick check” on customers – visual checks for evidence of STIs. Zoning is strict and reflects notions about appropriate sexuality as being hidden, low key, and off the main streets of town.

Rural brothel owners are small businessmen and women, and often are very informal managers. Providers of sexual services in all brothels are “independent contractors,” not employees. Thus, sex workers do their own negotiating with customers on services and prices. Most brothels have standard contracts for the length and other terms of workers’ stay, often negotiating better terms with repeat and longer-term workers. Workers typically pay the house about half of what they earn from customers, and also pay rent and tip housekeeping and food service staff. They buy their own clothing, pay their own medical expenses and work card fees, and report and pay their own taxes.

Generally, independent contractors have far fewer rights than employees in any industry. But because the sex industry is so highly stigmatized, some brothel workers may not know all their rights or have the resources to contest workplace violations. Some brothels require workers to live at the brothel while working, mandate shifts, and/or have specific rules on when they can leave the brothel. In recent years most brothels have stopped controlling when sex workers can leave. However, informal norms in the small rural towns may still prevent sex workers from moving as freely as they like when not on shift.

Suburban brothels

Brothels located outside of the large urban areas of Las Vegas and Reno have seen the most changes in recent years. Legal brothels close to urban areas where prostitution remains illegal have always been bigger, capturing the tourist market and housing up to 50 providers at a time. Many have undergone expensive remodels, and market themselves to a larger, more upscale, more mainstream audience. This has included integrating with nonsexual businesses, relying on nonsexual sales, marketing techniques, and/or employee relations. They look and feel more like any other business.

For example, the Mustang Ranch, near Reno in Northern Nevada, was purchased in 1999 by Lance Gillman who bought the brothel and surrounding property after the

legendary original owner Joe Conforte was convicted of racketeering and tax evasion and fled to Brazil. To eschew the underworld image, they undertook a similar remodel, adding several upscale themed suites, a bar, a kitchen, a pool, and an executive chef. The Mustang Ranch Lounge is a public restaurant, designed – as the owners say – to give non-brothel customers a reason to visit more often. The menu offers traditional bar food and more upscale items like halibut, salmon, and steak. The owner developed the rest of the property into an industrial park. Capitalizing both on leisure services and technology industries, the Tahoe-Reno Industrial Center is home to Tesla Motors, Switch, Google, Blockchains, and a hundred other companies who are quickly transforming Nevada’s economy. Gillman and his team hope to not just draw the traditional customers, but also these tech workers, convention-goers, and other tourists who may or may not seek sexual services.

All these suburban brothels are designed to draw in a new type of consumer – affluent men, experienced in buying leisure services. They market longer interactions including “the girlfriend experience,” and other fantasy and role play services. Mostly cisgender women provide services, but they increasingly market to women customers and straight couples, and some have quietly brought on transgender and nonbinary workers. They have the traditional line up, where customers choose a provider with whom to “party” from a line of providers who assemble as soon as they enter the brothel. But these suburban brothels increasingly encourage women to work the bar, interacting with customers one or two at a time before contracting for services. Many larger brothels have blogs, listservs for clients and have ways for sex workers to book appointments and otherwise interact with clients.

When Dennis Hof bought the Moonlite Bunnyranch in Lyon County, outside of Carson City, Nevada in 1993, he convinced several adult film stars to come work at the Bunnyranch, much to the consternation of other brothel owners who preferred more discrete, under-the-radar marketing. Hof actively courted media attention, marketed himself as the world’s greatest pimp, started the HBO series *Cathouse* in 2005, and wrote an autobiography, *The Art of the Pimp*. He appealed to a consumer market for sexualized escape and fantasy where you can sleep with your dream porn star. At his peak, Hof owned six brothels in Southern and Northern Nevada and renamed one the Alien Cathouse (after Area 51 where the US government supposedly stored alien spacecraft). He later ran for the state legislature, intending to retire from the brothel business and telling the author he wanted to be the “Trump of Pahrump.” However, he died of a heart attack just before the 2018 election. As Dennis Hof told researchers, “At the millennium, sex is more about fantasy and role play than it is about penetration. . . . We push that at the ranch. Our motto is ‘Not Just Sex – An Adventure.’ We want to create that adventure” (Brents et al. 2010: 118).

In recent years working conditions for women have improved with this upscaling and mainstreaming. Owners realized that they must treat workers well to compete. Several sex workers have a social media presence, their own websites, and marketing plans. To attract workers, most of these suburban brothels have pools, spas, exercise rooms, and good food. They also have more bureaucratic work rules, detailed contracts, manuals on Standard Operating Procedures (SOPs), train workers in sales techniques used at mainstream businesses, and increasingly allow workers to go home after shifts.

There is very strong local support for the brothels. I had the occasion to witness a local politician try to shut down brothels in one town. The public hearing brought 300 citizens to testify, most in favor of keeping the brothels. How they articulated support was quite revealing of the new sexual economy. Arguments both for and against the brothels talked

about economics – with opponents saying brothels were driving away business and supporters saying they created business – but supporters also highlighted the importance of protecting individual rights.

Conclusion

What does the future hold? Debates are heating up globally about the best ways to regulate the sex industry. The wide variety of policy approaches across the globe are commonly categorized as (1) *criminalization* – some or all parties involved in sexual exchange are criminalized, motivated by the goal to eliminate prostitution; (2) *decriminalization* where selling sex is not a crime for sex workers, clients, or managers; and (3) *legalization* where aspects are regulated to varying degrees such as zoning laws and licensing businesses, managers, or sex workers. Nevada has a highly regulated legal system managed by county sheriffs and local police. But most nations combine elements of these policies. Most scholars and organizations monitoring sex worker health and safety, including the American Civil Liberties Union (ACLU), Joint United Nations Programme on HIV/AIDS (UNAIDS), the World Health Organization (WHO), and Amnesty International, see comprehensive decriminalization as best. However, even in decriminalized settings where selling, managing, or paying for sex is not a crime, such as in New Zealand, Amsterdam, and some Australian states, there are regulations for where selling sex can take place, rules for sex workers working together, for larger businesses, and for how workers and brothels may be licensed or taxed. One important lesson from decriminalized systems is that governing sex work in the same ways as other businesses increases the safety of sex workers and clients. Law enforcement can focus on protecting sex workers from the same kinds of violence or crimes that impact other citizens. And as sex workers themselves are becoming their own advocates and involved in making policy, the future is more likely to reflect what sex workers themselves need.

Chapter review questions

1. The author argues that there is a sexual economy. What is that? How has it changed over time?
2. What is the mainstreaming of the sex industry?
3. How are legal brothels organized today?

Author biography

Barbara G. Brents is a professor in the Sociology Department at the University of Nevada, Las Vegas, USA. She has spent more than 25 years studying politics, sex, and gender, and is considered one of the world's leading experts on sexual commerce and Nevada's legal brothels. She is co-author of *The State of Sex: Tourism, Sex and Sin in the New American Heartland* (Routledge, 2010) and *Paying for Sex in a Digital Age: US and UK Perspectives* (Routledge, 2020), an evidence-based look at the multiple factors related to purchasing patterns and demand among clients who have used the internet. Through a variety of organizations and projects, she works toward achieving evidence-based reform to the criminal legal system and prostitution law and is involved in advocating for sex workers' human rights.

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